To the General Assembly of Virginia : Fellow-Citizens: In the performance of a duty enjoised by the Constitution, I present to you the condition of our Commonwealth, and my recommendation of such measures as are calculated, in my judgment, to improve it.

In the performance of this duty, for the first

time, I have to regret that I cannot be as full and as precise as to be satisfactory to myself, or as seems to be contemplated by the Constitution. With to be contemplated by the Constitution. With few exceptions, the law requires all reports relative to the public business to be made to you on the first day of your annual session, and I am thus deprived of the assistance they would afford me in the performance of my present duty. Had I prosession of these reports in time I should not I possession of these reports, in time, I should not only have my opportunity greatly improved, of thoroughly understanding the condition of the Commonwealth, but I should be able to detect errors of fact or of principle, if existing, and to make suggestions for their correction with a force and clearness that I cannot hope now to attain.—
Our fiscal year has for many years commenced on the first of October—the Penilentiary year likewise commences at the same period; and, by resolution adopted March 19th, 1839, all Internal Improvement Companies in which the State is interested, are, in this particular, put upon the same footing, and are, moreover, required to furnish their respective reports "to the 2d Audi or on r before the first day of November annually."-If this rule were made general, and all the public agencies were required to make their annual reris up to the first of October, to be delivered to those to whom by law they are directed on or be fore the first day of November, and such reports as are now required to be made to the Legisla-ture should, instead of that body, be required to be made to the Governor, and to be delivered to be made to the Governor, and to him on or before the time last mentioned, to him communicated with his Annual Message, be communicated with his Annual Message, it is obvious that he would be more to see "that the laws be faithfully executed," and to acquire a much more thorough and comprehensive knowledge of the condition of the Commonwealth, and that his suggestions would be entitled to more weight and consideration than under present circumstances he can anticipate. And if it should be your pleasure to order that these various reports should be printed in octavo form, be bound, and be laid upon your table on the day on which you assemble, you would have a large amount of information, in a most agreeable and compendious form, of easy and ready reference, which is indispensable to you, and would be of great interest to every citi zen. I, therefore, recommend the passage of a re-solution, directing your public agents hereafter to make their annual reports, in conformity with

It affords me great pleasure to inform you that the finances of our State are in a highly satis factory condition. On the first day of October 1845, the balance in the Treasury was \$100, 386 06. On the first day of October, of the pre-sent year, it was 137,433 dollars. By certain laws of your last session, appropriations were made from the Treasury, chargeable upon the then accruing revenue, portions of which, esti-mated to amount to 97,000 dollars, were undrawn at the close of the last fiscal year. Regarding d awn therefrom, there would have been still left at the period aforesaid a balance of 40,433 dollars; and this after promptly meeting every demand upon the Treasury, and paying off 45,676 67 of the public debt, which debt was only payable at the pleasure of the Legislature. But many of the charges upon the Treasury are entirely contingent in their character. Of such charges many cannot, and none may again recur. And I have the satisfaction to inform you that, under a rate of taxation annually decreasing for the list three years, atter defraying all the charges of Government and other permanent appropriations, you will have at your command during the pre sent fiscal year an estimated surplus of upwards

these suggestions.

of 150,000 dollars. This prosperous state of our finances would seem to call for a further reduction of our taxes. But instead of such a policy, I earnestly recommend a small increase of them, upon licenses pianos, clocks and watches, dividends and upon interest, except that payable upon our State bonds.

I also reccommend a restoration of the tax on money Money may be regarded as the most efficient form of property. Not content with or-dinary profits, the owners of money generally hold it for the purposes of usury or speculation. And I therefore think I may safely assume, that there is no portion of the property of the Commonupon to contribute to the support of the State The Literary Fund exhibits the same general

features as were presented by the last Annual Report. Although the permanent funds have received substantially the usual increase from fines, forfeitures and penalties, from sales of run-away slaves, from escheats and derelict estates, from delinquent and forteited lands and from the Brietoe estate; yet the Report will show the material reduction of \$63,630—a loss to the funds, resulting from the depreciation of the stock of the Bank of Virginia, and now developed under a law of your last session. This fund also sustained, heretofore, a loss of 18,050 dollars on United States Bank stock. This fund, since its creation, has at different periods lost heavily on dividends. It still owns 3,767 shares of Bank stock, now worth, it is supposed, 313,170 dollars. It does seem to me that this valuable fund, dedicated by your enlightened and patriotic predecessors to the intellectual improvement of our fel-low citizens, should not be identified with our nonetary system, liable to all its losses, and without any corresponding equivalent. I there-fore recommend, that the State take this stock, on her own account, and pay to the Literary Fund a perpetual annuity of 18,790 dollars, that sum being an interest of six per cent, upon the esti-mated value of the stock aforesaid; or that the President and Directors of the Literary Fund be required to exchange it, as they can, at par, for

any safe six per cent investment.

The Literary Fund also holds State bonds to the amount of \$1,000,500 50, upon which the State pays an annual interest of \$61,328 39. Why should this relation of creditor and debtor between the State and the Literary Fund be maintained? Wherein consists its utility? The old idea that the State might refuse to make such an appropriation, is entitled to but little consideration, and certainly less respect. The day is past, if it ever existed, when Virginia, unmindful of her honor and her duty, would refuse to pay a specified and acknow-ledged debt, destined too to the education of her nexion with this subject, if adopted, will put an end to frequently recurring and sometimes incon-venient inquiries—will, to some extent, diminish the expenses of managing the fund, and assured-The education of our fellow-citizens, especial-

ly the indigent portion of them, has long engaged the attention of our benevolent and enlightened statesmen. Hence spring the University of Virginia, the Primary School system, and the noble fund, to the condition of which I have briefly adwhich we have already accomplished. But much remains to do. The necessity of education is obvious and urgent. The enlightened, patriotit, and indigent combine to call upon you, as they have done upon your predecessors, to adopt some vigorous and decided system which will place within reach of our whole white population, the blessings of education. In the numerous appeals patriotic: never have the blessings of morality, of christianity, and of education been so highly appreciated, or so extensively diffused.

In the anxious consideration which has been given to this subject, the great difficulty has been in agreeing upon a practical and efficient system.wish of our State is to spread the lights of science into our remotest glens, and into the humblest habitations of the people. That this will be done there cannot be a doubt; how and when, it is in your wisdom to decide. I, however, would re-commend that a poil be opened on the day of county, volulation of the system; that if it be into which such county may be divided shall severally vote upon its adoption, within their respective districts—the system to be adopted in each district giving a majority of its resident voters therefor. In these suggestions my purpose is to compel each county to vote upon this system—the best, by far, which I have examined—and when rejected in particular counties, to give such districts thereof as may desire it all the advantages contemplated by the system.

The last Annual Reports from our Asylumor the Deaf and Dumb and the Blint the metality and the such districts thereof as may desire it all the advantages contemplated by the system. each county upon the District School system;
that a majority of the voters of each county, voting at said election, shall decide upon the adoption of the rejection of the rejec

The last Annual Reports from our Asylums for the Deaf and Dumb and the Blind, were laid respects to leave it with you, unembarcased by material knowledge I have of their coudition. From all that I have seen and beard, I am of that our munificent appropriations to these benevolent establishments have been appropriate in the benevolent establishments have been, so far, most judiciously invested. By giving to the regretation, and continuing to them your forms of these who supervise them a careful consideration, and continuing to them your forms.

The large amount of public business in the design is consummated. The great evils of our grand design is consummated. The great evils of our grand design is consummated. The great evils of our grand design is consummated. The great evils of our grand design is consummated. The great evils of our grand design is consummated. The great evils of our grand design is consummated. The great evils of our grand design is consummated. The great evils of our grand design is consummated. The great improvements, which I contemplate, and must be redressed. The construction of these works, the strictest of an adactive postspone our own cherished these sand alactity postspone our own cherished these works, the strictest of these works, the strictest of an adactive postspone our own cherished the stricts of the design. The large amount of public business in the construction of these works, the stricted on upon State is at a premium; that to such a striction is at a premium; that to such the Blinks proportion of these works, the stricted on upon State is at a premium; that the sum allowed by the federien; thus such a specific to the bear that possesses it, let us with cheer in that specific is at a premium; that to such the stricts of the eventual to such the stricts of the our grand design. The large these carried on, upon State is at a premium; that to such the stricts of the our grand design. The propriation of these works, the striction of an attention to the our grand design. The pro

soon become noble monuments of our philan-thropy, upon which every Virginian may look with pride and pleasure.

About the first of last September I visited our

About the first of last September 1 visited our Military Institute, and found the Cadets in camp. The buildings in their military dress, the white tents pitched upon an elevated slope and admirably arranged, the corps under arms in neat and appropriate dress, and, as I approached them, deploying time time for my recention made deploying into line for my reception, made upon me a most agreeable impression, and assured me that the high character already awarded to this School has been fully earned. A further examination of my young fellow-citizens in their quarters, and of the other departments of the institution, which I also made, satisfied me that it had more than met the highest expectations of its warmest triends, and that it deserved, and ought to receive, the favor of the General Assembly. You will receive herewith the annual report of the Board of Visitors, and its accompany ing documents, for the year 1846. I ask for it your attentive consideration, and earnestly re-

commend to you its various suggestions. The Penitentiary calls for your attention. The usual Annual Reports in relation thereto accompany this Message. That this establishment, with a very less age. with a very large capital, and two hundred and twenty-six convicts kept at "hard labor and fed upon coarse diet," should not pay a profit, satis-fies me that the system is inherently wrong, or that there is something very delective in its ad-

ministration. The first reform that I would suggest, is in the The first reform that I would suggest, is in the manner of stating the accounts of the institution. Who now knows its actual pecuniary condition? It draws about fifteen thousand dollars a year from the Treasury—the appropriation for the Public Guard is most strangely charged with the expense of its civic guard. It furnishes annual applies to the Lucatio Acultures and to those of supplies to the Lunatic Asylums, and to those of the Deaf and Dumb and of the Blind—and per-torms a considerable amount of work on the pub-lic edifices and grounds, none of which are regu-lated by contract or adjusted at the Treasury.— In this connection, I submit herewith a statement (marked 1,) exhibiting various items of expenditure, receipte, &c., for and on account of the Pe nitentiary, from the year 1816 to October of the present year, and also the capital invested in the erection of the Penitentiary up to 1806. It is a table full of interesting statistics, and calculated

to enlighten this subject.
I recommend that a stock account be kept which shall include the cost of all buildings and fixtures, tools, manufactures, and all materials on hand at its commencement; that all expenses, of every description, including salaries, subsistence, criminal charges, and civic or interior guard, shall be paid by the Superintendent, by drafts on the Storekeeper, and be included in said account —the whole to be credited by the sales—exhibiting in the form the whole to be credited by the sales—exhibiting in the form the whole to be credited by the sales—exhibiting in the form the whole to be credited by the sales—exhibiting in the form the whole to be credited by the sales—exhibiting in the large way to be sales as the sales are sales are sales as the sales are sales are sales as the sales are sal ing in that form the whole condition of the insti ution for each and every year. And, then, that which is difficult of comprehension would be easi ly understood, and the actual results would be anmally ascertained.

The next change I would recommend, is in the mode of purchasing supplies for the institution. Let them be purchased by the Superintendent, as the law now permits, but require him to buy them in large quantities, in the cheapest convenient markets, upon cash terms, by sight drafts opon the Storekeeper. The capital is ample for this mode of making the purchases, and it is obviously the best one for the interest of the institu-

In these suggestions, I mean no reflection upon the Storekeeper, or any officer of the institution My purpose is to increase the responsibility of each, by separating distinctly their particular du-ties, and to infuse more vigor and activity into its operations.

The Penitentiary is a system which contem-

not be forgotten in our legislation. It not unfre-

quently happens that a man of excellent charac er, in a moment of excitement, commits a crimfor which he is made to suffer the penalty of the law. Boys, too, with characters unformed, be-come inmates of this institution; and such are thrown in daily and close association with negro convicts and the vilest and most degraded male factors, subjected in all respects to the same treat-ment and discipline. The consequences are obvious. Many of the better are degraded to the level of the worse class of convicts, and only a few, of a firmer and higher style of character, escape the demoralizing influences of the practical working of the system. The first step I would advise in the reformation of this distressing evil, is no portion of the property of the Common is to remove the negro convict, thoroughly de-wealth that can with so much propriety, be called graded in his social and political position. The Penisentiary is to him no punishment. Abun dantly fed, comfortly clad, nursed in sickness, in health worked moderately, and for the first time, in all respects, the equal of the white man, many I have no doubt, regard their condition as de-cidedly improved. The white man, freed from his negro associate, would not feel so hopelessly his moral degradation. Less restless in consequence, he would more cheerfully obey the laws of the institution. With increasing self-respect and reviving hope, he would with more alacrity perform his duties, and thus the discipline of the institution would be more easily maintained, and its productive industry, I doubt not, materially enlarged. The will of God has declared the seperation of the negro and the white man; and our laws and our feelings approve it. Yet, most remarkable! this fundamental difference is entirely disregarded in our punishments, and black and white are thrown into our Penitentiary, in all respects upon terms of the most entire equality I earnestly recommend this reformation of our criminal code in relation to free negroes and mu-

On the 30th of September last, we had in our Penitentiary 226 convicts, 82 of whom were free negroes and inulatioes, 107 white convicts born within Virginia, aud 36 born beyond our limits. By the census of 1840 we had in our State 49,842 tree negroes and mulattoes, and 740,968 whites. Yet the free negroes and mulattoes, constituting about one sixteenth of our free population (exclu ding foreigners,) contribute largely over two-fifths of the convicts of our Penitentiary. By the same census, we had 448,987 slaves; of this number tourteen only were transported for offences committed within the past year. The free negroes constitute only about one tenth of our negro race, and yet they perpetrate about six-sevenths of the crimes committed by it. Our criminal statistics develope these results, which I am satisfied are substantially correct. They demonstrate the moral degradation of the free negro, the hopelessness of his reform, the mischievous influences of his association, and the necessity of his removal. own children. I therefore recommend that the bonds in question be surrendered to the State, to Occupying here that space which separates the bonds in question be surrendered to the State, white man from the slave, he corrupts portion be cancelled, and that the Legislature pay to the both races. That he is a moral leper is demonstrated. That he will prove the ready instrument strated. That he will prove the ready instrument to be found in certain sections of our of those, to be fourd in certain sections of our Union, who would kindle into flame our social edifice, cannot be doubted. And thus it is due to our own quiet and repose, to the preservation of our dearest and most sacred interests, that he should be removed. The right to do so cannot be questioned. The great and eternal law of self

protection puts it beyond cavil or discussion.

In certain sections of our Union the free regro
is regarded as an American citizen, and estitled to all the rights and privileges of that provad and lofty station. We can send him to those places. verted. Looking to the extent of our territory, the sparseness of our population, and the condition of about two-fifths of it, we may congratulate ourselves upon the amount of good to such communities, while we would be relieved from a most intolerable evil, he would have his prospect of bettering his condition great-

I regard our free negro population as one of our greatest evils, and to get rid of is as one of our highest duties. Great as may be the apparent difficulty of accomplishing this desirable measure, it would dwindle into insignificance, blessings of education. In the numerous appears
in behalf of this policy, which have within the
last three years been made from the forum and
last three years been made from the forum and
that each county, at our next annual election,
that each county, at our next annual election,
that each county, at our next annual election, are the degenerate sons of distinguished sires, and that we must adopt some efficient system of eduthat we must adopt some efficient system of edu-that we must adopt some efficient system of edu-cation to arrest our downward course. This is not limits, beyond the Commonwealth—that all coun cation, to arrest our downward course. It is is not true in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue true in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue true in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue true in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue true in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue in fact. On the contrary, never, since we ties voting affirmatively shall communicate intrue in fact. On the contrary in lation shall not thereafter be permitted to reside therein. Such a law, dependent upon the vote of the people within their respective counties, adopted in a single county -relieving the white man and the slave therein of a great and unmiti-Few can appreciate our difficulties—none cando gable evil, inflicting no inhumanity upon the free so who are not familiar with our physical and social condition. But, among our difficulties, I am taining other and it may be more generous views happy to say, indisposition, and, I will add, idif-frence, are not to be found. The prevailing wish of our State is to spread the lights of science ommend itself in a very high degree, to our constituents, and will, gentlemen, find favor, I sin-cerely hope, with their representatives. Even if the proposed law should not be adopted in a single county, its mere existence, with the power at any

GOVERNOR'S MESSAGE. tering aid, they will, in addition to the incalculating, and there is no hope of improvement under its present organization. I mean no reflection ing the Court to sit as long as there is business to transact; or by adding another Judge to the Court, and dividing it, giving to one half of it exclusive jurisdiction over the chancery, and to the other half the like intrinsiculation. half the like jurisdiction over the common law appeals. And as the common law is greatly less than the chancery business of the Court, I propose to equalize the labors of the two Courts, by requiring that Court which he chancers and the small notes of other states would instantly disappear.

I herewith commonicate the annual report of the Adjutant General on the state of the Militia, and ask for his suggestions careful consideration. that Court which has charge of the common law docket in Eastern Virginia to hold exclusively the Western Courts of Appeals. I throw out these hasty suggestions, with a hope that your wisdom may adopt some plan by which the delays of our highest Court may no longer be an intolerable grievance to our fellow-citizens.

Another reform in this Court is of great im-

portance to suitors. The Court frequently consists of four Judges only, and if they divide, the appellant is defeated. The law of the case is settled, but not its principle. Practically, and in effect, he has not had the benefit of his appeal, and he loses his cause, and it may be his whole and he loses his cause, and it may be his whole fortune, because the Court below, from the errors of the militia of Virginia.

of the militia of Virginia.

I also communicate the reports of the Captain of which he thought he had appealed, had adjudged against him. The next cause which is tried may involve the same principle; yet, being tried before a full Court, may be decided otherwise. Again: three Links tute a Court; they may, and frequently do, differ in opinion. Here, too, the law of the case only is settled, but the case itself is not regarded as authority. In a divided court, con-

In the Inferior Courts, decisions by their equal division, and the accidental position of the suitor, may be borne with, because of the convenience of such a practice and of the power of appeal; but in the court of last resort these legal rules are intolerable, and will, I trust, be reformed. All that you have to do, gentlemen, to correct this great evil, is to provide by law, that no cause shall be finally adjudged, unless a majority of the Judges of the Court concur therein. It may be objected that this requirement may retaid the despatch of business. This may be true; but the rights and the satisfaction of the suitor, should not be sacrificed to the mere convenience of the

I have reason to believe that the Circuit Superior Courts of Law and Chancery would be more accep-table to the people, if the Judges thereof, were re-quired to hold the Courts of the different Circuits in some prescribed rotation. Judges are men, with many of their passions and infirmities. Few pass through life without enmities; few without Few triendships and fewer still can rise superior to the influence of these relations. It is so natural to favor our friends and to injure one towards whom we feel antipath, that a Judge may, unconsciously to himself, allow his feelings to warp his judgment and inflict thereby a great, and it may be a fatal injury. Nor is this all. Riding his circuit for years, he is apt to share the feelings of his friends and feel the excitement of every feud therein. It is difficult for any one, however eminent, under such circumstances, to hold the scales of justice in fair and equal poise, and it is more difficult to satisfy his suitors that he has done so. To do justice is the first duty; the se-cond is to satisfy those interested that justice has been done to them. This can rarely be attained by a Judge who has grown up among those plates the reformation of offenders. This should over whom he presides, sharing with them, as he necessarily must those various affections which i pervade all communities. Justice should not

only be pure, but unsuspected.

Believing that the rolary system relieves the Administration of justice of those unseen influences, which operate at times upon it, I earnestly recommend it to your favorable considera-

vantage and convenience in suits in which the Judge was concerned before his election, in which he is a suitor, in which he is related to either party, and in which the suitor is his open enemy. Such suits are usually sent to another jurisdiction, to the great annoyance and beavy expense of the parties therein. But the necessity of a change of venue would not exist under the totary system. has been urged against this system, that the Judge is compelled at times, in Chancery causes, to take the record home with him for examination; This difficulty may be obviated, by providing by law that the decree in the case supposed may be entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor to whom it may be sent entered by his successor. entered by his successor, to whom it may be sent with the record from the General Court, or in of Nansemore, under sentence of death for the homicide of Robert R. Smith He was under reprieve by my predecessor, but for reasons hav-ing no relation to his guilt or innocence. I also reprieved him for one month for like reasons Subsequently I was urged to examine the record and evidence in his case. I did not feel at liberty to decline so doing, but undertook it with great reluctance, in consequence of a strong impression guilty of a high offence, that deserved punish-ment, I did not feel satisfied to pardon him, and

that it was a case of cruel and deliberate mur-My examination of the case, however, resulted in a very different conclusion. I became fully satisfied that the criminal was not guilty of murder in the first degree, and that it was my duty to arrest his execution. But, believing him I, therefore, reprieved him until the sixth day of February next, that the Legislature might, if they thought proper, enable the Executive to compower to discharge the prisoner from confine-ment, and to free him from all punishment whatever; and yet, for want of the right to use the penitentiary, I am unable to commute his sentence to a term of years therein. Without legislation, I must discharge a man from all punishment whatever, who is not guilty of the crime of which he stands convicted, according to the evidence before me, but who is guilty of a high crime, for which be deserves and ought to receive severe punishment. Ought this state of things to exist?
Will not the Legislature provide for it? Laws
of the description I now propose have long prevailed in the State of New York, and I presume

exist in other States of the Union.

It is known to you, gentlemen, that a person holding a bond, single bill, note of hand, or other evidence of debt, can sue thereon, and hold the obligor to bail, as of right. It may be, that not a dollar is due—that the apparent debtor is on the highway in search of a Western home. It matters not that ruin may be the consequence of his detention. It is nominated in the bond, and demand, or give the bail required. Is this state of the law in harmony with the enlightened spirit of the age? I think not; and, therefore, I earnestly In 1 recommend that a law be enacted, providing that upon this most important subject, I am very sen-hail shall not be demandable in such cases, except sible that I may be liable to severe animadverupon the oath of the creditor, or some person for him, as to the sum bona fide due, and that the obligor is about to depart this Commonwealth, so that process of execution cannot be served upon him. The quarterly reports of our Banks are herewith communicated. I have not been able to give to these institutions that examination their importance requires. Although their general condition is sound and healthy, and their administration is in charge of officers of high character and a mixed currency of paper and specie, equal in value, and convertible at pleasure. On no other terms could any Bank have been chartered by your predecessors. Yet, in this city, in which three of them are located, their practice defeats this important policy. It is true they pay specie for their own issues, respectively, but the obliga-tion to do so does not extend to branches of the same institution, located elsewhere. By paying out, therefore, in this city, the notes of distant merchandise -compel our manufacturers to pur lances with their operatives, or to use the pestilent small note circulation of other States. This po-licy of the Banks is most assuredly in conflict with the true intent and meaning of their respec-tive charters, and with the solid and substantial interests of the State. As part of the same system—as I am informed and believe—these Banks refuse to collect for Banks in other States, otherwise than in current funds—so

I have alluded. This policy is amoying and inconvenient to men of business—in disregard of sound and healthy banking-injuri-ous to the character of our State, and in all respects indefensible. We are not in debt, and this policy has not even the insufficient excuse of necessity. True, it enables the Banks to in-crease their profits on their exchange dealings, and furnishes an argument in favor of their being allowed to issue small notes. But I should regret to believe that such considerations induce the policy in question. But, be the reason what they may, the facts are incontestible, that the prevailing currency of this city is irredeemable therein; that specie is at a premium; that to such extent

Our militia system needs great and radical re-form. It is aheavy annual charge to the State, which might be wholly dispensed with, it the present organization should be preserved, with the exception of volunteer and regimental mus-ters. But I am satisfied that the true policy of the State is to adopt an efficient volunteer system, and some cheap but easy method of enrolment

for the mass of our militia.

I have to inform you of the resignation of Brigadier General Henry B. Woodhouse, late commander of the ninth brigade of the fourth division

of the Public Guard and Superintendent of Pub-lic Edifices. I recommend that this branch of the public service shall no longer be charged with the salaries of the interior or civic guard of the penitentiary. I cannot see the propriety of ex-empting that institution from the obligation to pay its own officers, exclusively responsible to, and under the control of, its Superintendent. I also re-commend the sale of a considerable portion of sisting of three Judges, two of them have not only the power of dismissing the appeal, but of sustaining it, finally and lorever. Here too the grossest injustice may have been perpetrated.—
The first great duty of the court is to satisfy a defeated suitor that he has had a full, fair and impartial hearing. In the cases stated, and such not unfrequently occur, great injustice may have been done, and the suitor has no done, left the allowances of the officers of the Public Guard. been done, and the suitor has, no doubt, left the allowances of the officers of the Public Guard. court under a profound sense of injury and They are now entitled to the pay and allowances of officers of the United States Army of similar rank and location. I do not regard it as proper or becoming, to leave any portion of our liabilities dependant upon the legislation of the United States. We have already sustained a serious loss by the construction put upon the laws of Con-gress in relation to the subject; that construction being different from that put upon it by our ac-counting officers, and in which the officers of said

Guard hal long acquiesced. In consequence of this construction of the courts. you will have to make provision for the payment of a judgment obtained by Lieut. Brown, and a claim preferred by Lieut. Selden, late of the Pub-

lie Guard. I herewith transmit the report of our Vaccine Agent, explanatory of his branch of the service. I called for this report, that I might form some estimate of the value of this agency to the State, and also of the manner in which i's duties had been performed. From a perusal of this re-port, I am satisfied that this agency is of great public importance, and that the agent has performed his duty in a highly satisfactory manner
The State owns a house and lot in a very di-

lapidated condition, in the county of Norfolk. It was originally purchased for a hospital under our quarantine laws, but has not been used for one for many years. It is now occupied by a trespasser, and is daily diminishing in value. State also owns a small lot of land a short distance above the city, and immediately on the Ca-nal. Although really valuable for its granite quarries, it is not so to the State. I recommend the passage of a law providing for the sale of

oth of them.

Our quarantine laws require your attention Passed prior to the adoption of the Federal Con-stitution, they are very imperfectly adapted to our present relations and condition, and would seem to be unnecessary, especially as the acts passed February 12th, 1519, and February 11th, 1832, seem to provide all the power requisite to guard against the introduction of small pox, to prevent spreading and to effect its cure.

The law providing for the erection of a courtouse was carefully considered. The Executive unanimously concurred in the opinion that it ought not to be located on the vacant lot attached the Government mansion. Upon examination. The system would be productive of great adthe Museum was found to be nothing better than a mass of crumbling ruins, to fit up which for a court-house, if it could be done at all, would involve an expense fully equal to that of erecting, out of the same materials, as far as they would lic service really required a court-house without delay, and I deemed it my duty to carry out the plain intent and meaning of the Legislature, by the erection of one, neat in appearance, solid in structure, convenient in arrangement, and eco-nomical in cost. For further particulars as to when he may not return to the Conre for years? the improvements which have been completed, or

ished in the past year \$557,598 59. To this may be added our stock in the Winchester and Potomac Railroad Company, and about one-third of our loan to it, making in the aggregate \$170,000. The policy which seems to have governed the last Legislature to retation to this Company will, I presume, be extended to other embarrassed corporations, and the consequence will be heavy reduction of the nominal amount of our internal improvement fund. I am sattisfied, however, that this act was hurried vigilance which it would otherwise have re-That act gives up 270,000 dollars for stated. It plainly demonstrates the importance of adopting some precaution against the recur-rence of similar legislation. Notwithstanding the serious ceduction in the amount of this valuable fund, I am happy to inform you that its in-

the Penitentiary. In this case I have the But our Internal Improvement Fund is wholly inadequate for the prosecution of that system of improvements called for by your constituents in every part of our beloved Commonwealth, which is indispensable to the full development of our wonderful advantages, and the commencement of which can no longer be deferred without a disregard of those high duties, upon the manly and enlightened performance of which mainly de-pends the position which Virginia is to maintain among her sister States. All the elements of greatness are ours: a tertile soil, genial climate, exhaustless mineral wealth, broad and noble ri-vers, mighty water power, territory large enough for an European empire, a noble people, and to all which may be added, a most fortunate geographical position, present an array of advantages unknown to any other spot of similar dimensions on the habitable globe. Shall we longer delay to use these noble elements of greatness? Shall be said that we have not intelligence to apprecrate, or the spirit to use, these inestimable gifts Heaven? That, deaf to the hum of industry, and insensible to the vigorous enterprise which dishe must remain in prison, discharge the unjust | tinguishes other States, we are content to live on in indolence and ease upon memories that are

> In laying my views before you, gentlemen sible that I may be liable to severe animadversion—that I may disappoint some and offend others. But I love my State too sincerely, 1 am too deeply anxious for her thorough development, to hesitate in the performance of my duty. prepared to incur the responsibility of those vigo rous measures which I shall cheerfully recon mend, and which, I sincerely hope, you will

sanction and approve. The age is utilitarian. Whether or not the wonderful discoveries of physical science are the intelligence, I feel it to be my duly to call your attention to those located in this city. One of the great objects in the creation of Banks, is to provide provement is onward: the most imposing obstructions are readily overcome: time and space are almost annihilated, and the most remote parts of the earth are made to feel dependent up on each other, and to recognize, to some extent, a common interest. Virginia will not consent to give up her rightful part in this mighty destiny .-Embracing within her limits two routes of great importance to the Union, and of incalculable va lae to the country through which they pass, the people require an early construction upon them branches, as is their daily practice, they supply of some improved highway. Virginia has alfore, depreciated currency—deprive specie of its legitimate character, and make it an article of provement. Even if the right existed, Virginia would, I am persuaded, resist its exercise, bechase it for the adjustment of their weekly ba- cause within the scope of State ability and necessarily involving a large increase of power in the Federal Government. But, let it not be forgo ten, that it is easy to be brought to believe that to be right which corresponds habitually with our wishes and our interests, and that if the State refuse to carry out those improvements, it may come to be thought that the power to complete them resides in and must be exercised by the Federal Government. I call upon those then, who entertain this view of Federal power, to yield to the spirit of the age and boldly call out now, without another year's delay, the inert powers of the State for her own renovation and improvement.

In bringing this interesting subject to your consideration, I shall be excused, I trust, for pressing upon you, as one of your patriotic duties, that of discarding all local and sectional feelings and interests. It is Virginia, one and indivisible, who has called us to consult as to her condition, to develop her wealth, to protect her interests and to advance her greatness. Let us select certain great improvements and determine to complete them. Let us concentrate all our ample means upon them. And with the patriotism which ennobles the heart that possesses it, let us with cheer-

For the correction of this abuse, I recommend | vate interest, we have sunk at least four millions | be adopted, and these improvements will then proupon the members of this Court; but its delays are great, are increasing, and must be diminished. This important result may be attained by requiring the Court to sit as long as there is business to transact; or by adding another Judge to the Court. huild such improvements as may be regarded as State works, and leave the tributaries to spring out of local or sectional necessity, and be the works of individual enterprise and means. The two great works I have to recommend to

you are railroads: the one to commence at Buchanau, the other at Gordonsville. The one first named will proceed through the great Sou hwestwith but little of any corresponding equivalent.

Its music alone costs upwards of \$12,000 a year,
which might be about discountain the world, until try in Virginia, and perhaps in the world, until it reaches the Tennessee line. From this point I am satisfied Tennessee will take up the improvement and carry it on to Knoxville, and down the Tennessee river to the Alabama line, and that it will be carried on to the city of New Orleans by the intervening States. This great improvement will intersect the Hiwassee railroad in Tennessee, thus tapping the great work running from Memphis on the Mississippi to Georgia and North Carolina. Let us give a pledge, that this work shall be commenced without delay and prosecuted to its completion. Let us send a de-legation to the States through which this route passes, and invoke a simultaneous movement; and we shall, in a few years, see this great work completed-exhibiting a railroad of unequalled extent and importance, and which will pour a flood of wealth into Virginia which will raise her to a position as proud and as lofty as was claimed for her in her palmiest days. The second great railway that I propose, is to

commence at Gordonsville and is to terminate on the Kanawha or Ohio river. In selecting the location of this route, I propose to press as far North as practicable. My desire is to reach the headwaters of the Greenbrier, the Elk, the Little Kanawha, the Cheat and the 'Tygart's val-ley rivers. I wish to reach that summit level, possible, with the main stem, because from that point improvements might move off down the valleys of those rivers, and returning, bring to the parent stem the rich productions of the West. It is believed that this scheme will have to encounter great physical dif-ficulties. That they are great I readily grant; but I do not believe them to be as disastrous as are apprehended. The outlay may be heavy, greater than on any other routes; but enterprise and perseverance guided by science are invincible, and the equivalent will be found in the numerous and important advantages which this route will secure to Virginia. First, it will retain within our State a large amount of produce which now goes to Baltimore. Secondly, it will carry a great improvement within easy reach of the whole of Northwestern Virginia, especially that part of it which is now auxious for what may be termed the Baltimore right of way. Third, it will give to a large section of the State, now without an adequate road, the very best known style of improvement. Fourth, it will concentrate within our own State the resources and affections of her population and put an end to the ambitious and lfish scheming of a foreign corporation. Fifth, it will connect us wish the Ohio, and enable us successfully to contend with the whole world for the trade of the Western valleys. These advan-tages may be ours, and are indispensable to our real prosperity and independence.

But this work must be commenced at once and with it must be associated the assurance of its speedy prosecution. This, with a knowledge of the fact, that this city affords the best grain market South of New York, will I doubt not satisfy those parts of Virginia interested in the right of way. Let us carry on this important improve-ment with all reasonable despatch, and no Virginian, who feels in a true and proper spirit the honor and glory of the name, will desire to sepa-rate from his brethren and unite his business, and of course his attachments, with another State. In connection with these views, and by request, I communicate the proceedings of a Con-

corporation, through our State, as far South as the mouth of the Little Kanawha. This company has now the right to go through Virginia to Wheeling, but the great object is to touch the Ohio lower down, not only to get rid of the improvements of other States to the North, but to be able successfully to contend with our contemplaing. But, without this pledge, private capital will never undertake it. The destructive character of railroad competition is well known to business men. England is suffering from it to a most ruinous extent, and is now struggling to reform the evil by a union of rival routes. We are not without most unpleasant experience in our State. Pennsylvania is guarding against it also, in re-ference especially to this Baltimore and Ohio railroad company. And shall we unconscious of those patriotic feelings which should prompt us to the adoption of that policy which will build up our State—and unmindful of that common sense that should ever govern great public interests, yield to a foreign corporation the right to penetrate into the heart of our State, and draw therefrom her vital blood ? I am, however, satisfied, through the Legislature amid the confusion gentlemen, that your legislative history will never of its closing scenes, and thus escaped that be illustrated by an act so tatal to the best interests of our State. But, it is my anxious hope, that you will proceed with all proper despatch to the coman annuity of 5,000 dollars, without any assumance of the payment of that small sum, and cannot be accounted for, otherwise than as I have them within FORTY HOURS of each other; -by the second, connecting the tide of the Atlantic with the currents of the beautiful Ohio:the one, ultimately, by branches down the Roan-oke and the Valley to an intersection with the road from Gordonsville, and the other by branches into the Northwest, satisfying every reasonable want of the great sections of the State. Both without rivals to be regarded, and accumulating throughout their long and magnificent course the varied productions of the richest country upon the earth, would fill our treasury and pour constant streams of wealth into our towns and cities, which would soon enable them proudly to rival the proudest cities of the world. Nor is this all; the vast amount of produce which would flood our markets would necessarily produce an immense navigation interest, water Virginia would become a shipyard. Her population would build our ships, own, and sail in, and all would teel the tructitying influence of this mighty trade. Virginia would be pros perons, and would soon become rich; would add to her high moral power the indispensable ele-

ment of numbers, and would soon become great; and would then be, what every Virginian must anxiously desire, independent. This is no fancy sketch. The results of these important improvements will prove more striking than I have de-picted them. Like causes produce like effects. In 1816 the whole real and personal estate of the city of New York did not exceed eighty-two milions of dollars. In 1825 it was only about one hundred millions. In that year the great New York Canal was opened, and in ten years the population of the city of New York was nearly oubled, and her wealth increased to two hunled and eighteen millions of dollars. And up to 1841 she continued to increase her wealth at the rate of 91 per cent. per year, notwithstanding the destructive fire with which she had been devastated, and the monetary crisis through which the country had passed. But in the latter year the great Western railroad from Boston, which New York had improdently allowed to be extended to Albany, had been opened, and the effect (and I wish all who love Virginia to mark it) has been to reduce the increase of the populatio of the city of New York to one and a quarter per cent., and actually to diminish her wealth one and one eighth per cent per year. But while New York has declined, Boston has increased her

population from 93,000 to 115,000 and her wealth from 98,000,000 to 135,000,000 or dollars, in the The extraordinary results that have followed the completion of the great New York Canal, and of the great railway of Massachusetts, are well calculated to excite our astonishment and a waken incredulity In ten years after the canal is opened, New York city more than doubles her wealth; and in four years only after the opening of the Western railway, Boston has increased her population about 23 per cent., and her wealth over forty per cent. And after deducting from these amounts a sum sufficient to cover their average previous progress, a balance will be found in those respective cities much more than sufficient o the increase of wealth and population on the line of the improvements. And it establishes he soundness of the opinion which I have often expressed, and here repeat, that Eastern is more interested than Western Virginia in the speedy construction of our great works.

To briefly re-state my plans: I propose and reommend a railroad to commence at Buchanan, and to proceed to the Tennessee line; of course, superseding all inferior improvements on the route. And I propose and recommend that the Louisa Railroad from Gordonsville be pushed in the Shenandoah valley without delay, and that a critical, instrumental survey of the Northern route, which I have designated, be forthwith made. I cannot doubt its practicability. great Massachusetts railroad overcame, in the istance of about two hundred miles, an elevation of about 1,400 feet; and I am encouraged to believe that more serious difficulties will not have

I propose an expenditure of half a million a year, only, to be divided between the two works. This divided expenditure will powerfully tend to prevent an upward tendency in prices, and secure the construction of the roads upon terms much below the experience of the country. In two years the improvement from Gordonsville will have reached the valley of the Sher, andoah; and in the same time the Southwest Railroad will have passed the coal and iron regions of Botetour; and in the increasing revenues of the James River Canal, and the Louisa and Frederick-burg Railroads, we should begin to reap some of the fruits of our enterprise. I give it as my opinion, that the increase of revenue which these improve-ments would in different ways produce, would, after the outlay of two years, pay the interest upon all the loans required for their prosecution.

I propose to provide for the expenditure which

I have suggested by an annual appropriation from the Treasury of two hundred thousand dollars, and an issue of State bonds for the balance. The Treasury can easily be put into condition to meet this demand upon it. Without some extraordinary charge upon the Treasury, we shall have a surplus, on the first of October next, of up-wards of \$150,000, which a slight increase of taxation on certain subjects, which I have heretofore mentioned, would swell to \$200,000, and thus place our Treasury in condition to meet this new requisition. The bonds would present no diffi-culty. Our State credit is in the best condition, and our bonds could be easily disposed of at par, and under favorable circumstances at a premium, to foreign purchasers. But I have no idea of them that destination. They are a favorite investment with our fellow-citizens, who alalready own more than half of our present debt. I believe that we have a floating money capital among us which would greedily absorb the whole issue. And as this money would not be destroyed by being used, but would healthily stimulate production, it would perform the same effective function, absorbing the same amount of bonds from year to year, and thus building these important railways exclusively from our own re-

sources. It may be objected that these improvements would advance too slowly to their completion .-I think that their progress will be fast enough to give us the advantages with which experience and science are daily benefitting mankind. The Baltimore company, which ambitiously aspires to penetrate Virginia in different directions, was 18 years in reaching Cumberland; a progress much slower than that which I propose. But

gislature may in its wisdom direct.
The James River and Kanawha Company will be before you, asking a loan for the payment of their current dues. The necessity of this application arises from the shortness of our crops, and the payment of certain outstanding claims which could no longer be deterred. As long as this improvement has to depend upon the valley of the James River alone, its revenues must be unsettled and precarious. when it shall be extended to the North River, and shall be fed by the Southwestern Railroad, that its revenues will be independent of the seasons, and it will begin to develope its great capacity But how is it to reach those points? Money is indispensible, and the company cannot raise it.

From a careful consideration of this subject, I am satisfied that the State may, with every short crop, anticipate the occurrence of similar de-mands until the improvement shall have reached the points which I have slesignated. The supply from both will be requisite to place the revenue of the James River Company upon a footing of safety and independence. And it may be remarked here, that one of the great excellences of the James River. the Southwestern Railroad, as a monied investment, will be found to be, under careful and judirious management, that every ten miles throughout its whole extent, will not only support itself, but will furnish large and increasing supplies to vention recently held in Staunton. By a like rethe canal. As the State cannot abandon the canal, it is obviously the part of true wisdom to quest, I communicate those of a large meeting, held at Weston, on the 25th of September last. complete it to the points indicated, with every reasonable despatch. I have pondered most The object of this latter meeting is to secure the right of way to the Baltimore and Ohio railroad auxiously as to the best means of raising the funds for this purpose, and my conclusion is to recommend an issue of the bonds of the company, from time to time, as they may be needed, to the requisite amount, such issue to be guaranteed by the State. I recommend this mode of raising the money, b cause I believe that when the ted improvement. I speak advisedly when I Southwestern Railroad shall be fin shed, the con-

> ern waters through the valley of the James River, either by canal or railroad. Canals are not adapted to the impatient wants of the present age.—
> The great New York canal is protected by law against the competition of the railroad running by its side. If the Pennsylvania, the Chesapeake and Ohio, and even our own James River canals, were now new questions, few would be found so hardy as to advocate their construction. At this time a railroad is under construction between N. York and Albany, parallel with the Hudson river. Pennsylvania is constructing a line of railroad between Philadelphia and Pittsburg, parallel with ner canal. Railroads are projected on both sides of Lake Erie; and it is manifest that they are destined to supersede, to a very great extent, all river and canal navigation. It is also argued that a mixed line of canal and railroad cannot successfully contend for the Western trade. I should therefore be opposed to the execution of the main design of the James River and Kanawha company, if it were entirely practicable and we had the amplest means for its accomplishment. I am equally opposed to the connection of the eastern and western waters on this line by railroad. The canal affords every reasonable facility to the country through which it passes; and for local purposes the railroad is not required, but by ador another route, the connexion between the East and the West can be easily attained, and immense ocal advantages secured to other large portions of our State. The possible difference between the two routes, in the cost of their construction, will find an ample equivalent in the diffusion of these improvements. But the canal ought to be exended to the point I have stated. The work already partially constructed, could be finished for a smaller sum than would be requisite to complete a railroad. The whole work, too, would be omogeneous, and could be managed with more facility and economy than a mixed improvement. t would also enable them to put their freights at a ower rate than could be done, if the

composed of portions of canal and railroad improvement. years. I am satisfied that its executive government is inefficient, useless, and unneces-arrily expensive. Its condition is hopeless. With the State alone abides the power to preserve its vitality. In this condition of its affairs, with an eye alone to their improvement, I recommend that the present executive government of the company be abolished, and that all its duties and powers be transferred to the Board of Public Works, which shall appoint a President, clothed with all his present powers and duties. It would diminish the expenses of the company several thousand dollars a year, and give it, I am persuaded, a more efficient administration. You will be informed by the report of the Board

of Public Works of the sale and purchase of the late Portsmouth and Roanoke Railroad, for and on account of the State. This purchase was made principally with a view of placing the road at the pleasure of the Legislature. The rivalry which had existed between this road, from the day it was opened, and the Petersburg Railroad. had been so disastrous, and the loss to the State both in capital and revenue, so serious, that it was deemed a paramount duty on the part of the public agents to acquire the control of this road, that it might not fall into rival hands, and again become an instrument of dangerous and destructive competition. This policy, so just and so reasonable, was alone, I am persuaded, in the contemplation of the Legislature, on the passage of the act providing for the sale of the Portsmouth and Roanoke Railroad. To no one was offence intended, and most assuredly none to a sister State, with which we are united by many ties of interest and affection. It is, therefore, with pro-tound regret, that I have to inform you that the Chief Magistrate of North Carolina, cent message to the General Assembly, characterised the act referred to as the "mere effusion of a jealous and hostile spirit, without object or meaning."

The Per'smouth and Roanoke Rail Road, under the name of the Seaboard and Roanoke Rail those respective cities much more than sufficient to cover the whole outlay in the construction of those great works, and that, without any regard to revive it as a rival road—to recommence that career, which has already proved so fatal. Nor yet will it be just to our fellow-cirzens who are inter ested in the road, or to the people of North Carolina, to leave it in its present condition. Sincerely anxious to protect the interests dependent on this road, and yet bound so to advise that the Commonwealth shall sustain no injury in the pre-mises, I have, after much consideration, concluded to recommend the passage of a law that will give the various railroad companies, or either of them. I accordingly directed the Captain of them, between the Roanoke and the Potomac, the Public Guard to furnish such as might need constituting what is generally called the inland route, the right to subscribe for four-sevenths of the amount requisite to put it in prime running condition, and also to put on a line of boats in connection therewith to the city of Baltimore; seek share of stock to give a vote and all one. them, between the Roanoke and the Potomac, each share of stock to give a vote, and all quesions arising out of this road, in any way, to be left tions arising out of this road, in any way, to be lest to the appellate control of the Board of Public works. This plan will reopen this road, as it formerly stood: prevent the revival of dangerous anything like the sum allowed by the Federal anything like the sum allowed by the Federal formerly stood; prevent the revival of dangerous

as rarely owned among us. Nearly the whole of our heavy export and coastwise trade is in the hands of those, many of whom, if they dared, would excite a servile war among us. The tim-ber of our foresis is carried to New England, with which to build a marine totransport our produce. Even the oysters of our creeks and rivers, and the pine woods which line their shores, are borne in bottoms not our own, to our sister States. This untoward condition of our navigation interests is a source of deep mortification. Cannot those in-teres's be improved? Much can be done by individual association. The dawn of a better day I trust, is at hand. But legislation may hasten the day when we shall be free from dependence upon other States for the means of transporting our large productions to the markets of the world. To secure this important element of wealth, independence, and safety, I recommend a moderate bounty upon the tounage of all vessels over 200 tons burthen, built within our limits by mechanics resident therein, and a moderate bounty per ton per annum on all vessels of like dimension which shall be built, owned and manned by our citizens.

The subject of a Convention for the revision of the State Constitution, continues to be one of absorbing interest in portions of our State. The abuses of the right of suffrage, and the powers of the county courts, would alone justify this measure. But regarding other and scarcely less important reforms, to be indispensable, I carnestly recommend the passage of a law submitting the question of a Convention to the people at their next

annual election.

It is my duty to remind you of the necessity of providing, by law, for the erection of a suitable building for the preservation of the standard weights and measures furnished by the United States, under an act of Congress, for the use of

Virginia. Some time during the year a citation was served upon me, as the representative of the Commonwealth, requiring her to appear on this day at the Supreme Court of the United States, at the instance of one James Phalen, to shew cause why judgment pronounced against him by the General Court should not be corrected. This proceeding presents the question, whether the law of Virginia, suppressing lotteries, is in violation of the Constitution of the United States. I have taken no steps in the premises.

I herewith communicate, for your information, a letter from Harvard College Library. Deem-ing its suggestions valuable, and its requests altogether reasonable and proper, I recommend the passage of a resolution to effect its objects. During the past year Texas became a mem-ber of our Federal Union. Pending the negotiation which led to this auspicious result. Mexico protested against it in the most formal

manner, notifying our Government that she would regard it as cause of war. Upon the passage of our resolutions for annexation, the Mexican Minister, General Almonte, under the orders of his Government, abrupily terminated his diplomatic relations, and left the country. He did not wait for Texas to adopt the measures called for by our resolutions, and to give her consent to the Union. The consular agents of Mexico were also withdrawn. War to the Sabine was announced. And such were her various maniles-tations of active hostility, that Texas called upon the United States for protection. This power having taken the steps which justified our intervention, our troops advanced into the country and quartered at Corpus Christi, West of the Nueces. This post was then held by a body of Texan Rangers, and had been for months, and were ordered there for the protection of Texas against the inroads of the Camanches. It was a Texan settlement. Texas had always claimed the Rio Grande as her Western boundary. Santa Anna had admitted it. Our most distinguished statesmen had maintained it. Congress had extended the laws of the United States over the whole country up to this limit; and then, and not until then did our treopmarch upon the Rio Grande. When they reached this boundary, and encamped opposite Matamoras, General Taylor gave to the Mexican Ge. peral every assurance of a peaceful purpose. For some time no belligerent act was done by the Mexicans. So thoroughly satisfied was our little army that the peace of the two countries would not be disturbed, that the gallant Worth gave up his command upon a point of rank, and tendered his commission to his Government. Up to this moment no belligerent act had been committed by either party. But the hostile intentions of Mexi-co were not long to remain concealed. Colonel Cross, under the confidence of our peaceful relations, having left our encampment, was basely murdered. Porter and a small party met a sim lar fate. Other acts of aggression occurred; and finally Mexico abandoned her disguise, marched her troops across the Rio Grande, and com-menced the war. The gallant defence of Fort Brown, made immortal by the death of a hero, and the battles of Palo Alto and Resaca de la Palma, were the consequence. These deeds of arms are destined to make a glittering page in the history of our country. They filled the American heart with gladness and with confidence, but unmingled with a disposition to trample upon our beaten and wanton foc. Peace was again offered by us, and again rejected by Mexico, wi hout an effort at negotiation. And nothing is now left to us but ingloriously to abandon those fields which we have so gloriously won; or, by a change in our plan of operations originally designed, I sup-pose, merely to secore a satisfactory frontier, to

conquer a peace by penetrating to the heart of Mexico. It must be highly gravilying to every American that Gen. Taylor was instructed by his Government carefully to avoid, if possible, all col-lision with the troops of Mexico. And it is no less gratifying to know that this order was strict-ly obeyed. The peace of the world was not broken by us. Mexico had committed outrage upon outrage upon us, through a series of years; relying upon her numerical superiority, and confi-dent of an easy victory, she made a bold and dar-

ing assault upon our army.
It was in view of these facts that the Congress

of the United States, on the 13th May, 1846, by

an act, passed with a despatch and unanimity un-

known in our legislation, declared that, "where-as, by the act of the Republic of Mexico a state of war exists between that Government and the United States;" and to "prosecute" said war authorized the President "to call for and accept the services of any number of volunteers not exceeding fifty thousand." Under this authority I was called upon by the War Department, under date of — May last, to hold in readiness three iegiments of volunteers To put myself in condition promptly to answer a call for immediate service, , by my proclamation, announced to my lellow citizens my readiness to receive a tender of the services of thirty companies of volunteers This announcement was responded to in a highly I have carefully observed this company for gratifying manner. Morethan the complement to quired promptly enrolled, and tendered their setvices for a twelve months' campaign. These troops were not called into the field; but under date of the 16th November last, by virtue of the authority of the act of the 13th May, a requisi-tion was made upon me for one regiment of volunteers, of ten companies, for immediate service, and to serve for the war. I promptly issued my proclamation, announcing this new call upon our proclamation null and void, and made a call for the regiment required in conformity with the new conditions of the War Department. It is a source to me of pride and satisfaction to be able to inform you that this new call has been respond ed to, as far as I have definite information from con est among us will not be who is to be excused. but who is to be permitted to rally under the banner

of their State and Country.
In the performance of the duties which these calls imposed upon me, I have felt great diffi-culty from the want of clear and explicit legislation providing for such emergencies. But deeming it wholly inconsistent with the pride, character and patriotism of the State to omit to respond to the calls which have been made upon me, from any doubt of my powers, I took the mea-sures I have stated, and also authorized the vo-unteers to elect their company officers. I have not made the appointment of field officers, although it is important that it should be done with out delay, not deeming it absolutely indispensable and regarding it as more respectful to leave the whole matter to your consideration. Indeed, I have strong doubts if this case is at all provided for by law; and I have consequently not felt myself at liberty to do more than what seemed ur gently necessary, or to go as far as has been don by the Governors of other States. For the purpose, therefore, of putting what has been done be yond all doubt, I recommend the passing of a law or joint resolution, confirming the elections that have been held, and the commissions that have been issued in pursuance thereof, and also providing for the appointment of field officers, leaving the appointment of the staff as now provided ing the appointment of the sta-in the case of militia officers.

A considerable portion of the volunteer conpanies of this city consists of gallant young men from the country, coming to this city with the patriotic purpose of joining the expedition in which they have engaged, but some of them without the means of supporting themselves are til mustered into the service of the United State I felt myself bound to make a soldier's provision viding unitorms and other clothing for our regiment. It is the only plan by which it could be